



General Assembly

February Session, 2000

Raised Bill No. 5298

LCO No. 1166

Referred to Committee on Select Committee on Aging

Introduced by:
(AGE)

***An Act Concerning Grandparents Caring For Grandchildren
And Foster Care Subsidies.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 1. Section 17a-126 of the general statutes, as
2 amended by public act 99-251, is repealed and the following is
3 substituted in lieu thereof:

4 (a) As used in this section, "relative caregiver" means a person who
5 is caring for a child related to such person because the parent of the
6 child has died or become otherwise unable to care for the child for
7 reasons that make reunification with the parent not a viable option
8 within the foreseeable future and "commissioner" means the
9 Commissioner of Children and Families.

10 (b) The Commissioner of Children and Families shall establish a
11 program of subsidized guardianship for the benefit of children in the
12 care or custody of the commissioner who are living with relative
13 caregivers and who have been in foster care or certified relative care
14 for not less than [eighteen] six months. The commissioner [, within
15 available appropriations, may] shall establish a program of subsidized

16 guardianship for the benefit of children in the care or custody of the
17 commissioner who are living with relative caregivers and who have
18 been in foster care or certified relative care for not less than [twelve]
19 six but not more than eighteen months. A relative caregiver may
20 request a guardianship subsidy from the commissioner. If adoption of
21 the child by the relative caregiver is an option, the commissioner shall
22 counsel the caregiver about the advantages and disadvantages of
23 adoption and subsidized guardianship so that the decision by the
24 relative caregiver to request a subsidized guardianship may be a fully
25 informed one.

26 (c) The subsidized guardianship program shall provide the
27 following subsidies for the benefit of any child in the care of a relative
28 caregiver who has been appointed the guardian or coguardian of the
29 child by any court of competent jurisdiction: (1) A special-need
30 subsidy, which shall be a lump sum payment for one-time expenses
31 resulting from the assumption of care of the child when no other
32 resource is available to pay for such expense; and (2) a medical subsidy
33 comparable to the medical subsidy to children in the subsidized
34 adoption program if the child lacks private health insurance. The
35 subsidized guardianship program shall also provide a monthly
36 subsidy on behalf of the child payable to the relative caregiver that
37 shall be equal to the prevailing foster care rate. The commissioner may
38 establish an asset test for eligibility under the program.

39 (d) The commissioner shall adopt regulations in accordance with
40 chapter 54 implementing the subsidized guardianship program
41 established under this section. Such regulations shall require, as a
42 prerequisite to payment of a guardianship subsidy for the benefit of a
43 minor child, that a home study report be filed with the court having
44 jurisdiction of the case of the minor within fifteen days of the request
45 for a subsidy, provided that no such report shall be required to be filed
46 if a report has previously been provided to the court or if the caregiver
47 has been determined to be a certified relative caregiver by the
48 commissioner. The regulations shall also establish a procedure

49 comparable to that for the subsidized adoption program to determine
50 the types and amounts of subsidy to be granted by the commissioner
51 as provided in subsection (c) of this section, for annual review of the
52 subsidy as provided in subsection (e) of this section and for appeal
53 from decisions by the commissioner denying, modifying or
54 terminating such subsidies.

55 (e) The guardianship subsidy provided under this section shall
56 continue until the child reaches the age of eighteen or the age of
57 twenty-one if such child is in full time attendance at a secondary
58 school, technical school or college or is in a state accredited job training
59 program. Annually, the subsidized guardian shall submit to the
60 commissioner a sworn statement that the child is still living with and
61 receiving support from the guardian. The parent of any child receiving
62 assistance through the subsidized guardianship program shall remain
63 liable for the support of the child as required by the general statutes.

64 (f) A guardianship subsidy shall not be included in the calculation
65 of household income in determining eligibility for benefits of the
66 relative caregiver of the subsidized child or other persons living within
67 the household of the relative caregiver.

68 (g) Payments for guardianship subsidies shall be made from
69 moneys available from any source to the commissioner for child
70 welfare purposes. The commissioner shall develop and implement a
71 plan that: (1) Maximizes use of the subsidized guardianship program
72 to decrease the number of children in the legal custody of the
73 Commissioner of Children and Families and to reduce the number of
74 children who would otherwise be placed into foster care when there is
75 a family member willing to provide care; (2) maximizes federal
76 reimbursement for the costs of the subsidized guardianship program,
77 provided whatever federal maximization method is employed shall
78 not result in the relative caregiver of a child being subject to work
79 requirements as a condition of receipt of benefits for the child or the
80 benefits restricted in time or scope other than as specified in subsection

81 (c) of this section; and (3) ensures necessary transfers of funds between
82 agencies and interagency coordination in program implementation.
83 The Commissioner of Children and Families shall seek all federal
84 waivers as are necessary and appropriate to implement this plan.

85 (h) There is established a grandparents-as-parents program within
86 the Department of Social Services to provide support for grandparents
87 who raise a grandchild. The program shall provide a clearinghouse of
88 information regarding services available in the state for relative
89 caregivers, as defined in subsection (a) of this section. The
90 grandparents-as-parents program shall also provide training on the
91 needs of relative caregivers and available services. The training shall
92 be offered to relevant professionals, including, but not limited to, case
93 workers within the Department of Children and Families and the
94 Department of Social Services and staff of any court of competent
95 jurisdiction.

96 Sec. 2. This act shall take effect July 1, 2000.

Statement of Purpose:

To establish a "grandparents-as-parents" program within the Department of Social Services to assist grandparents raising their grandchildren and to assure that they receive foster care payments when appropriate.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]